

REMARKS

In the application claims 1, 2, 4, 6-10, and 31 remain pending. Claims 3, 5, 11-30, 32, and 33 have been canceled without prejudice. The pending claims presently stand rejected under 35 U.S.C. § 103 as being rendered obvious by Sheriff (U.S. Publication No. 2002/0065564) in view of Lappetelainen (U.S. Patent No. 7,072,697). The reconsideration of the rejection of the claims is, however, respectfully requested.

It is respectfully submitted that the claimed invention is directed to a system in which a server device, i.e., a device that serves content, functions to transmit a signal to a portable device to initiate an automatic process of content synchronization with the portable device, i.e., to serve such content to the portable device. As further claimed, the wireless receiver subsystem of the portable device responds to the signal by transitioning from a standby state to an active state in which the wireless transceiver subsystem of the portable device is used to actively perform the content synchronization with the server device where the wireless transceiver subsystem consumes less power in the standby state than in the active state.

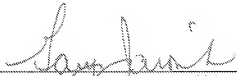
Considering now Sheriff, in cited to paragraph 0037 Sheriff discloses a system that operates to automatically synchronize content between one or more DCMDs when the one or more DCMDs are within close proximity of each other. To this end, paragraph 0037 of Sheriff describes that a DCMD polls for signals from other devices within transmission range and, if a DCMD receives a transmission during polling, the DCMD synchronizes with the source of the transmission using a communication protocol. Because Sheriff discloses a system that relies upon polling, i.e., a technique in which one device continually interrogates other devices to see if the other devices have data to

transfer, it will be appreciated that Sheriff discloses a system that is in direct contrast to the system claimed. Specifically, whereas the claimed invention is directed to a system in which a wireless receiver subsystem of a portable device is in a low power, standby state until such time as the portable device receives a signal from a server computer that functions to indicate to the portable device that the server computer has content to serve to the portable device, Sheriff discloses a system in which a receiver subsystem of a portable device must continually transmit signals to other device, and accordingly be continually placed into an active, power consuming state, in order to determine if a server device has content to transfer as well as to receive such content from the server device. Accordingly, because Sheriff discloses a system that is in direct contrast to that which is claimed and because nothing from Lappetelainen discloses, teaches, or suggests modifying Sheriff to arrive at the exact system claimed (which modification of Sheriff would nevertheless be impermissible under MPEP § 2143.01(VI)), it is respectfully submitted that the combination of Sheriff and Lappetelainen cannot be said to present a *prima facie* case of obviousness. For this reason, it is respectfully submitted that the rejection of the claims under 35 U.S.C § 103 must be withdrawn.

Respectfully Submitted;

Date: September 17, 2008

By:



Gary R. Jarosik, Reg. No. 35,906
Greenberg Traurig PC
77 West Wacker Drive, Suite 2500
Chicago, Illinois 60601
(312) 456-8449